

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SCOTT SEDORE, #210661,

Plaintiff,

v.

Landfair, et al.,

Defendant.

Case No. 2:22-CV-10060

Honorable Gershwin A. Drain
United States District Judge

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PLAINTIFF'S SCOTT SEDORE PROPOSED VERDICT FORM

Plaintiff Scott Sedore, by and through counsel, submits the following proposed verdict form:

JURY VERDICT FORM

We the jury unanimously answer the following questions submitted to us:

Part A. Claims against Defendant Sireнна Landfair, RN: Section 1983
Claim – Retaliation for Exercise of First Amendment Rights

As previously explained, the plaintiff has the burden of proving that the acts of the Defendant Landfair deprived the plaintiff of particular rights under the United States Constitution. In this case, the plaintiff alleges the defendant deprived him of his rights under the First Amendment to the Constitution when Defendants retaliated against him for exercising his First Amendment rights by placing him in medical segregation under false pretenses, which resulted in the deprivation of his scheduled law library visit during the COVID-19 restrictions.

Under the First Amendment, an inmate has the right to access the courts and petition the government for redress of grievances. This includes the right to file prison grievances, pursue civil rights litigation against prison officials to advocate for his right to proper treatment and medical service.. To establish the defendant deprived the plaintiff of this First Amendment right, the plaintiff must prove the following additional elements by a preponderance of the evidence:

1. the plaintiff was engaged in conduct protected under the First Amendment;
2. the defendant took adverse action against the plaintiff;
3. the defendant took adverse action against the plaintiff because of the plaintiff's protected conduct;
4. the adverse action taken by the defendant chilled the plaintiff's exercise of his First Amendment rights; and
5. the action taken by the defendant did not reasonably advance a legitimate correctional goal.

For this type of claim, adverse action is action that would chill or silence a person of ordinary firmness from engaging in that activity.

To prevail, the plaintiff must show that his protected conduct was the substantial or motivating factor behind the defendant's conduct. A substantial or motivating factor is a significant factor. [The chronology of events may be considered as circumstantial evidence of a causal connection between the adverse action and the plaintiff's protected conduct.]

1. Defendants retaliated against him for exercising his First Amendment rights by placing him in medical segregation under false pretenses, which resulted in the deprivation of his scheduled law library visit during the COVID-19 restrictions.

○ _____ YES _____ NO

2. Did Plaintiff **Scott Sedore** prove by a preponderance of the evidence that Defendant **Sirennia Landfair, RN** take adverse against Plaintiff Sedore for exercising his First Amendment right?

○ _____ YES _____ NO

If your answer to this question is “Yes”, please answer the next question. If your answer to this question is “No”, please go directly to Part B.

3. Did Defendant **Landfair** prove, by the preponderance of the evidence, that she would have taken the same actions against the Plaintiff even if the Plaintiff had not engaged in protected conduct?

○ _____ YES _____ NO

If your answer to this question is “Yes”, please answer the next question. If your answer to this question is “No”, please go directly to Part B.

4. Did Plaintiff **Sedore** that Defendant's Landfair's actions chilled or deterred Plaintiff's ability to exercise his First Amendment rights?

○ _____ YES _____ NO

Please go to Part B.

**Part B. Claims against Defendant Alinda Florek, RN: Section 1983 Claim
– Retaliation for Exercise of First Amendment Rights**

5. Did Plaintiff **Scott Sedore** prove by a preponderance of the evidence that Defendant **Alinda Florek, RN** take adverse against Plaintiff Sedore for exercising his First Amendment right?

○ _____ YES _____ NO

If your answer to this question is "Yes", please answer the next question. If your answer to this question is "No", please go directly to Part C.

6. Did Defendant **Florek** prove, by the preponderance of the evidence, that she would have taken the same actions against the Plaintiff even if the Plaintiff had not engaged in protected conduct?

○ _____ YES _____ NO

If your answer to this question is "Yes", please answer the next question. If your answer to this question is "No", please go directly to Part B.

7. Did Plaintiff **Sedore** that Defendant's **Landfair's** actions chilled or deterred Plaintiff's ability to exercise his First Amendment rights?

○ _____ YES _____ NO

**Part C. Claims against Defendant Victoria Hallet, DO : Section 1983 Claim
– Retaliation for Exercise of First Amendment Rights**

8. Did Plaintiff **Scott Sedore** prove by a preponderance of the evidence that Defendant **Victoria Hallet, DO** take adverse against Plaintiff Sedore for exercising his First Amendment right?

○ _____ YES _____ NO

If your answer to this question is “Yes”, please answer the next question. If your answer to this question is “No”, please go directly to Part D.

9. Did Defendant **Hallet** prove, by the preponderance of the evidence, that she would have taken the same actions against the Plaintiff even if the Plaintiff had not engaged in protected conduct?

○ _____ YES _____ NO

If your answer to this question is “Yes”, please answer the next question. If your answer to this question is “No”, please go directly to Part D.

10. Did Plaintiff **Sedore** that Defendant's **Hallets's** actions chilled or deterred Plaintiff's ability to exercise his First Amendment rights?

○ YES NO

Please go to Part D.

Part D. Compensatory Damages

If you answered “Yes” to Question A(3), Question B(3), or Question C(3), then answer the following question. If not, then go to Part F.

1. What is the total amount of damages that plaintiff Sedore has proved with respect to his Section 1983 Claim – Retaliation for Exercise of First Amendment Rights?

\$ _____

Please go to Part E.

Part E. Punitive Damages

If your answer to Question A(3) was “Yes,” please answer this question; if not, go to Part E Question 3.

1. **Re: Defendant Landfair** : Did plaintiff **Sedore** prove, by a preponderance of the evidence, that the conduct of defendant **Landfair** actions chilled or deterred Plaintiff's ability to exercise his First Amendment rights?
2. **Defendant Landfair** and was recklessly and callously indifferent to plaintiff's First Amendment rights?

○ _____ YES _____ NO

If the answer to this question is “Yes”, then please answer the next question. If your answer is “No,” please go to Part E Question 3.

3. What amount of punitive damages do you award against defendant Landfair?

\$ _____

If your answer to Question B(3) was “Yes,” please answer this question; if not, go to Part E Question 5.

4. **Re: Defendant Florek** : Did plaintiff **Sedore** prove, by a preponderance of the evidence, that the conduct of defendant **Florek** actions chilled or deterred Plaintiff's ability to exercise his First Amendment rights?

Defendant Florek was recklessly and callously indifferent to plaintiff's First Amendment rights?

○ ____ YES ____ NO

If the answer to this question is "Yes", then please answer the next question. If your answer is "No," please go to Part E Question 3.

5. What amount of punitive damages do you award against Defendant Florek?

\$ _____

If your answer to Question C(3) was "Yes," please answer this question; if not, go to Part F.

1. **Re: Defendant Hallet** : Did plaintiff **Sedore** prove, by a preponderance of the evidence, that the conduct of defendant **Hallet** actions chilled or deterred Plaintiff's ability to exercise his First Amendment rights?
2. **Defendant Hallet** was recklessly and callously indifferent to plaintiff's First Amendment rights?

○ ____ YES ____ NO

3. If the answer to this question is "Yes", then please answer the next question. If your answer is "No," please go to Part F.
4. What amount of punitive damages do you award against defendant **Hallet**?

\$ _____

Did Plaintiff Sedore prove by a preponderance of the evidence that he is an individual with a disability?

If your answer to this question is “Yes”, please answer the next question.
If your answer to this question is “No”, please go directly to Part G.

YES NO

If your answer to this question is “Yes”, please answer the next question.
If your answer to this question is “No”, please go directly to Part G.

YES NO

If your answer to this question is “Yes”, please answer the next question.
If your answer to this question is “No”, please go directly to Part G.

YES NO

If your answer to this question is “Yes”, please answer the next question.
If your answer to this question is “No”, you are done and can sign the
verdict form.

3. Did Plaintiff prove that he was excluded from participation in, or denied the benefits of the service, program, or activity, or otherwise subjected to discrimination related to the service, program, or activity?

○ _____ YES _____ NO

If your answer to this question is “Yes”, please answer the next question.
If your answer to this question is “No”, you are done and can sign the
verdict form.

4. Did Plaintiff prove that this exclusion or denial occurred solely because of his disability?

○ _____ YES _____ NO

If your answer to this question is “Yes”, please answer the next question.
If your answer to this question is “No”, you are done and can sign the
verdict form.

5. Did Plaintiff prove that the MDOC receives federal funding?

○ YES NO

If your answer to this question is “Yes”, please go to the next question on compensatory damages. If your answer to this question is “No”, you are done and can sign the verdict form.

Compensatory Damages

6. What is the total amount of damages that Plaintiff has proved with respect to his Rehabilitation Act Claim?

\$_____

Dated: March 13, 2025,

LIGHTHOUSE LITIGATION, PLLC

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 13, 2025, I filed this instant motion, electronically filed the above and foregoing PLAINTIFF'S SCOTT SEDORE PROPOSED VERDICT FORM with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties of record.

By: /s/Joshua S. Goodrich

Joshua S. Goodrich, J.D., LL.M. (P83197)